

AMENDED IN ASSEMBLY APRIL 4, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 759

Introduced by Assembly Member Lieber

February 18, 2005

~~An act to add Section 7158.4 to the Health and Safety Code, relating to organ donation. An act to add Section 76000.6 to the Government Code, relating to county penalties.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 759, as amended, Lieber. ~~Organ donation~~ *Crime stoppers program.*

Existing law establishes an additional penalty to be assessed by each county on fines, penalties, and forfeitures imposed for criminal offenses and parking penalties, to be used for local courthouse construction, criminal justice facilities construction, automatic fingerprint identification funding, forensic laboratory funding, emergency medical services funding, and DNA identification funding, as specified for each county.

This bill would provide that a county board of supervisors in a county that has established a local Crime Stoppers Program may elect to levy an additional penalty not to exceed \$2, upon fines, penalties, and forfeitures collected for misdemeanor criminal offenses to be used to fund that county's local Crime Stoppers Program.

~~Existing law authorizes the California Organ and Tissue Donor Registrar, a not-for-profit entity, to establish and maintain the California Organ and Tissue Donor Registry, which contains information regarding persons who have identified themselves as organ and tissue donors upon their death.~~

~~Existing law requires the State Department of Health Services to audit for the existence of organ and tissue procurement procedures for all inpatient hospital facilities.~~

~~This bill would require the department, in consultation with the Department of Motor Vehicles, to develop a statewide organ donation database accessible by hospitals in order to determine in a timely manner if a person wishes to donate his or her organs.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~yes~~-no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 7158.4 is added to the Health and~~
2 ~~Safety Code, to read:~~

3 ~~SECTION 1. Section 76000.6 is added to the Government~~
4 ~~Code, to read:~~

5 ~~76000.6. (a) In addition to the penalties set forth in Section~~
6 ~~76000, the county board of supervisors, in a county that has~~
7 ~~established a local Crime Stoppers Program, may elect to levy an~~
8 ~~additional penalty not to exceed two dollars (\$2) which shall be~~
9 ~~collected together with and in the same manner as the amounts~~
10 ~~established in Section 1464 of the Penal Code, upon every fine,~~
11 ~~penalty, or forfeiture imposed and collected by the courts for~~
12 ~~criminal offenses punishable by a fine, imprisonment in a county~~
13 ~~jail, or by both fine and imprisonment in a county jail which shall~~
14 ~~be used to fund that county's local Crime Stoppers Program.~~

15 ~~(b) Money collected pursuant to subdivision (a) shall be taken~~
16 ~~from fines and forfeitures deposited with the county treasurer~~
17 ~~prior to any division pursuant to Section 1463 of the Penal Code.~~

18 ~~7158.4. The State Department of Health Services, in~~
19 ~~consultation with the Department of Motor Vehicles, shall~~
20 ~~develop a statewide organ donation database accessible by~~
21 ~~hospitals in order to determine in a timely manner if a person~~
22 ~~wishes to donate his or her organs.~~